

1000 – LEGAL PROVISIONS

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1010 - Title

Sections 1000 through 9999 of this chapter [ordinance] shall be known as the Zoning Ordinance of the City of Wichita Falls, Texas.

1015 - Purpose of the Zoning Ordinance

The purpose of the zoning ordinance shall be to promote the public health, safety, morals and for the protection and preservation of places and areas of historical, cultural, or architectural importance and significance or general welfare of the City of Wichita Falls and residents thereof; and to attain the objectives of the Wichita Falls Comprehensive Plan. It has been designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

1020 - Consistency with Comprehensive Plan

It is the intent of the City of Wichita Falls that the zoning ordinance shall be consistent with the Wichita Falls Comprehensive Plan, and with any supplemental land use and community development policies which may be adopted by the city council. In the event the zoning ordinance becomes inconsistent with the Wichita Falls Comprehensive Plan or with any supplemental land use and community development policies of the City of Wichita Falls, by reason of the adoption of a new plan or by amendment of the existing plan or supplemental policies, it is the intent of the council that the zoning ordinance be amended within a reasonable time so as to become or remain consistent with the revised or amended comprehensive plan and land use and community development policies.

Additionally, it is the intent of the council that all amendments to the zoning ordinance shall maintain and enhance the consistency between the zoning ordinance and the Wichita Falls Comprehensive Plan.

1025 - Applicability

The zoning ordinance shall apply to all of the incorporated areas of the City of Wichita Falls. The use of all land and any buildings or structures located upon the land, and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all regulations applicable to the district in which the land is located except as otherwise provided below. No land, building, structure or premises shall be used for any purpose or in any manner other than is permitted in the district in which such land, building, structure or premises is located except as provided below. The provisions of this zoning ordinance shall be applied to all land, buildings, structures and premises of the incorporated areas of the City of Wichita Falls on the [23rd] day of [April], 1985. However, the provisions of this ordinance shall not apply to buildings, structures, or land under the control, administration, or jurisdiction of any federal or state agency, or the City of Wichita Falls where properly exempted by law.

APPENDIX B - ZONING
1000 - LEGAL PROVISIONS

1035 - Conflicting Provisions

The zoning ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of this ordinance to interfere with or abrogate or annul any easement, covenant, or other deed restriction or agreement between parties. When the zoning ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants or agreements, the provisions of the zoning ordinance shall control.

1040 - Relief from Other Provisions

Except as otherwise specifically provided, no provision of the zoning ordinance shall be construed as relieving any party to whom a site plan approval, permit or variance is issued from any other provision of state or federal law or from any provision, ordinance, rule, or regulation of the City of Wichita Falls requiring a license, franchise, or permit to accomplish, engage in, carry on or maintain a particular business, enterprise, occupation, transaction or use.

1045 - Severability of Provisions

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being hereby expressly declared that this ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

1050 - Repeal of Conflicting Ordinances

All ordinances or resolutions, or parts thereof in conflict with this zoning ordinance or inconsistent with its provisions are hereby repealed to the extent necessary to give this ordinance full force and effect.

1055 - Completion of Uses And Structures

Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, and plans for which are on file with the director of community development at the time of the passage of this ordinance [April 23, 1985] and the construction of which in either case shall have been started and diligently prosecuted within six months of the date of such permit, and the ground story framework of which, inclusive of walls, shall have been completed within such time, and which entire building shall be completed, according to such plans as filed, within two years from the date of the passage of this ordinance.

APPENDIX B - ZONING
1000 - LEGAL PROVISIONS

1060 - Enforcement, Legal Procedure and Penalties

It shall be the duty of the city manager, through the proper departments, to enforce this ordinance.

Any person who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be guilty of a misdemeanor offense, punishable by a fine as provided in section 1-14 of the Wichita Falls Code of Ordinances. The imposition of one penalty for any violation shall not excuse the violation nor permit it to continue, and each day that the violation is maintained shall constitute a separate offense. The application of such penalty shall not be held to prevent the enforced removal of prohibited conditions.

1065 - Annexed Territory

All territory hereafter annexed to the City of Wichita Falls shall be temporarily classified as SF-1 single-family residential district, until a permanent zoning classification is given to the area by the city council.

The procedure for establishing a permanent zoning classification shall be the same as is provided by law for amendment of the zoning ordinance.